

REMARKS

The examiner has required restriction between Groups I through XVI. Applicants respectfully traverse the restriction requirement and its supporting remarks. However, by way of this response to restriction requirement, Applicants provisionally elect Group II, claims 4-14 and 26 for further prosecution.

With the entry of the claim amendments included with this response, Claims 1, 4-19, 22-26, and 28 are pending. Claims 2-3, 20-21, 27, and 29-31 are canceled. Claim 1 has been amended to import the limitations of claims 2 and 3 into claim 1, so support for this amendment can be found, by way of example, in claims 2 and 3. Claim 4 has been amended to depend from Claim 1. Claim 16 has been amended to conform to amendments to claim 1. Claim 17 has been amended to depend from claims 15 and 16. Claims 18 and 19 have been amended to conform to amendments to claim 17. Claims 22, 23, and 25 have been amended to depend from claim 4. Claim 26 has been amended to remove dependency from canceled claims and to add a pharmaceutically acceptable carrier support for which may be found on page 14, lines 9-19 of the specification. Claim 28 has been amended to remove dependency from canceled claims and to depend from claims 15 and 16. Thus, the amendments to the claims do not introduce new matter.

The Examiner has acknowledged that claim 1 links Groups I and IV-IX. Applicants have amended claim 4 to depend from claim 1, so claim 1 further links Group II to Groups I and IV-IX. Furthermore, Groups X has the same relationship to Group VIII, which is linked by claim 1 as Group IX has to Group VII, which are both linked claim 1, so Applicants respectfully assert that Group X should also be linked by claim 1. Similarly, Group XI depends from claim 1 and is therefore linked by claim 1 just as Groups VII and Group VIII each of which add an antigen to the composition of claim 1 just as Group XI. Thus, applicants assert that claim 1 should be examined as a generic linking claim of all of Groups I-XI.

Furthermore, Groups I-XI should not be restricted as they all have the same special technical feature which is provided in claim 1 – the capacity to induce an antibody response in a subject that is bactericidal against two or more of hypervirulent lineages A4, ET-5 and lineage 3 of *N*.

meningitidis serogroup B. Thus, even in the absence of claim 1 as a generic linking claim, the Groups should not be restricted.

Finally, Groups XII and XIII as method claims that depend from or otherwise include all limitations of the product claims should be re-entered upon allowance of the product claims from which they depend.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 223002100300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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